

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE ZAPPOS.COM, INC., CUSTOMER
 DATA SECURITY BREACH LITIGATION,

3:12-cv-00325-RCJ-VPC

MDL No. 2357

This Document Relates to:

ORDER

ALL ACTIONS

Before the Court are Zappos.com, Inc's Motion (#63) for Leave to File Excess Pages re: Motion (#62) to Dismiss and Plaintiffs Prieria, St. Lawrence, Richards, Novles, Gallatin, Habashy, Ree, Simon, and Vorhoff's Motion (#69) for Extension of Time.

Defendant Zappos.com, Inc moves the Court for leave to exceed the thirty (30) page limit with respect to its concurrently filed Motion (#62) to Dismiss. The Motion (#62) totals forty-eight (48) pages of points and authorities, and good cause exists to grant leave to exceed the thirty (30) page limit as Zappos.com, Inc. seeks the dismissal of two lengthy complaints in a single motion. Allowing Zappos.com, Inc. to file a single motion regarding the two complaints promotes judicial efficiency, and therefore, Zappos.com, Inc's Motion (#63) for Leaev to File Excess Pages shall be granted.

The Motion (#69) for Extension of Time seeks additional time within which to respond to the Motion (#62) to Dismiss. Specifically, Plaintiffs request that the Court extend the deadline to respond to the Motion (#62) to Dismiss until February 14, 2013. Defendant Zappos.com, Inc. does not oppose an extension of the deadline to respond to February 14, 2013, but requests that the deadline to exchange initial disclosures and to establish protocol

1 by which to handle discovery of electronically stored information (the "ESI Protocol") likewise
2 be extended.

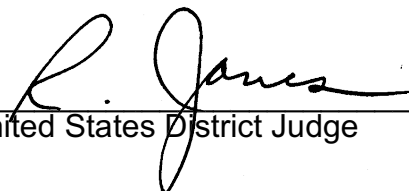
3 Currently, the case schedule requires Plaintiffs to respond to the Motion (#62) to
4 Dismiss and for the parties to exchange initial disclosures by January 15, 2013, and requires
5 Zappos.com, Inc. to file its reply and for the parties to establish the ESI Protocol by January
6 31, 2013. Zappos.com, Inc. requests that we preserve the case schedule by extending the
7 discovery deadlines in tandem with the briefing schedule for the Motion (#62) to Dismiss.
8 Plaintiffs oppose the request to extend the discovery deadlines.

9 The Court agrees with Zappos.com, Inc. that the discovery schedule may remain tied
10 to the briefing schedule as contemplated at the case management conference.

11 IT IS HEREBY ORDERED that Zappos.com, Inc.'s Motion (#63) to File Excess Pages
12 is **GRANTED**.

13 IT IS FURTHER ORDERED that the Motion (#69) for Extension of Time is **GRANTED**
14 on the following basis. Plaintiffs shall have until February 14, 2013 to file oppositions to the
15 Motion (#62) to Dismiss. The parties shall exchange initial disclosures by February 14, 2013.
16 Zappos.com, Inc.'s reply shall be filed by March 8, 2013, and the parties shall establish the ESI
17 Protocol by March 8, 2013.

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19 January 10, 2012

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22 United States District Judge
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